

CODE OF FEDERAL REGULATIONS
TITLE 36, CHAPTER 1
Written Determination for Justifying Actions
Listed in the Compendium of Designation, Closures, Request Requirements
and Other Restrictions.

PART 1 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES,
DESIGNATIONS

36 CFR 1.5 (a)(1) – Closures and restrictions for all or portions of the park to all public use or to a certain use or activity.

- A.** The following park areas are closed to the possession of inflatable devices (inner tubes, air mattresses, etc.), boats, canoes, kayaks, etc.:

Those portions of the park including the pedestrian bridge, the Potomac River shoreline from the upstream CSX bridge to "The Point" and upstream along the Shenandoah River to the Rte. 340 bridge. Includes the lower town historic area and Virginius Island between the Shenandoah River and Shenandoah Street; continues above the Rte. 340 bridge to include area between CSX tracks and Shoreline Drive; and Shoreline Drive from the Rte. 340 bridge to Cavalier Heights.

Exception: From the River Access parking area to the upstream side of the Rte. 340 bridge. 50 yards on either side of the trail.

- B.** Picnicking is restricted from the following areas:

The historic lower town area, Virginius Island, Jefferson Rock area, Bolivar Heights, Jackson's Right Flank, Union Skirmish Line, Potoma Wayside, Murphy Farm

- C.** Areas closed at dark:

Bolivar Heights, River Access Parking and river access corridor, Potoma Wayside, Union Skirmish Line, Jackson's Right Flank, Murphy Farm.

- D.** The pedestrian bridge is closed to fishing.

- E.** Areas closed to bicycles:

The downhill portion of Shoreline Drive when park shuttle buses are operating, "administrative use only" roads on Virginius Island and Maryland Heights.

- F.** Private and commercial buses are prohibited from loading and unloading in the lower town area without permission from the Superintendent.

- G.** Other areas closed to public access:

John Brown's Cave, the area surrounding Jefferson's Rock that is chained off.

<p><u>PART 2 - ACTIVITIES THAT REQUIRE A PERMIT</u></p> <p>36 CFR 1.6 – Activities that require a permit from the Superintendent.</p> <ul style="list-style-type: none"> Carrying or possessing a weapon, trap or net, Specimen collection Camping Chain saw operation Portable motors or engines Public assemblies and public address systems Delivery/ retrieval of a person or object by airborne means Solicitation Use, possess, store, transport explosives Using or possessing fireworks Conducting sports events, ceremonies, entertainment, etc... Distributing printed matter for commercial advertising Livestock use Residing on federal land Memorialization Advertising Engaging in or soliciting any business Commercial filming of movies or television Still photography for the purpose of commercial advertising Use of commercial vehicles on park area roads Construction of buildings, facilities, trails, roads, docks, paths, structures, etc Operation of solid waste disposal site Rights-of-way <p><u>PART 3 - GENERAL REGULATIONS</u></p> <p>36 CFR 2.1 - Preservation of Natural, Cultural, and Archeological Resources.</p> <p>(c)(1), (c)(2): Gathering of fruits, nuts, berries, shells by hand for personal use and consumption.</p> <p>Blackberries: 1 quart limit per person per day Blueberries: 1 quart limit per person per day Edible mushrooms: 1 gallon per person per day</p> <p>36 CFR 2.2 - Wildlife Protection</p> <p>(e) All of Harpers Ferry NHP is closed to the viewing of wildlife with the use of an artificial light.</p>	<p>36 CFR 2.3 - Fishing</p> <p>(a) Taking of frogs and crayfish is prohibited within the park which is contradictory to state law.</p> <p>36 CFR 2.15 - Pets</p> <p>(a)(1) Structures or areas closed to the possession of pets by the Superintendent; possessing a pet is prohibited except on the following designated trails:</p> <ul style="list-style-type: none"> Appalachian Trail including spurs Maryland Heights Trail/ Military Road Trail Overlook Cliff Trail Stone Fort Loop Trail Elk Run Trail Bolivar Heights Loop Trail Nash Farm Trail Old Furnace Road Trail Quarters 92 Trail Cavalier Heights Trail Virginus Island Loop Trail Shenandoah River Access Corridor Trail Orange Trail Loudoun Heights Trail Lower Armory Grounds Loop Trail Potoma Wayside River Access Trail <p>(a)(3) Pets may be left tied to an object IF they are under direct supervision of their owner and no damage is inflicted to private or Government property. Leash must be no longer than 6 feet and pet will not be allowed to make unreasonable noise.</p> <p>(a)(5) Pet excrement must be bagged and deposited in a trash receptacle.</p> <p>(e) Pets may be kept by park residents under the following conditions:</p> <p>Pets kept by residences may only allow such pets to be unrestrained within the cartilage of that residence.</p> <p>Cost for repair of damage caused by pets, other than normal wear and tear, will be borne by the assigned park employee residing in the residence.</p> <p>36 CFR 2.21 - Smoking</p> <p>(a) Smoking is prohibited within all structures and outside of any park structure not built of brick, stone, or some other non flammable surface within 10 feet of the structure.</p>
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36 CFR 2.22 - Property

(a)(2) Permitted locations and conditions where property may be left unattended longer than 24 hours:

Train Station for AT hikers and Amtrak passengers with pre-authorized permission
Cavalier Heights with pre-authorized permission

36 CFR 2.35 – Alcoholic Beverages and Controlled Substances

(a)(3)(i) The following areas are closed to the consumption of alcoholic beverages and/or to the possession of a bottle, can, or other receptacle containing an alcoholic beverage that is open, or that has been opened or whose seal is broken or the contents of which have been partially removed:

Historic Lower Town and all historic buildings
The "Point" area located at the confluence of the Shenandoah and Potomac Rivers
Virginius Island
Area between Shoreline Drive and the Shenandoah River including the River Access corridor and the River Access parking area
The AT from the Pedestrian bridge to Route 340 including the Jefferson Rock area
Area from the Potomac Edison plant between CSX and the Potomac River to the park boundary above Dam 3
Bolivar Heights
Cavalier Heights from the VC area to the shuttle bus garage and picnic areas
Potoma Wayside
Union Skirmish Line
Jackson's Right Flank
Murphy Farm

36 CFR 2.51 – Public Assemblies and Meetings

(e) All areas are available pursuant to a permit signed by the Superintendent.

36 CFR 2.52 – Sale or Distribution of Printed Material

(e) All areas are available pursuant to a permit signed by the Superintendent.

36 CFR 2.62 – Memorialization

(b) A permit is required for the scattering of ashes for the following areas:

Shenandoah River shore line at the Point
Potomac shore line at Potoma Wayside
Wooded area of the Wildlife Sanctuary between Nash Farm and Q 92
Adjacent vegetation at the Jefferson Rock area

Scattering of ashes is only allowed in the previous four areas and must not interfere with visitor use and proper sanitation.